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**Date:** April 28, 2004  
**To:** Office of Publications  
Examiner Tran, Mai Huong  
Art Unit: 2818  
**Fax No.:** 703-872-9306  
**From:** Stephen P. Burr  
**Subject:** U.S. Application Ser. No. 10/690,290  
Filed: October 21, 2003  
Conf. No.: 4572  
Title: A SEMICONDUCTOR ELEMENT  
**Our Ref.:** 782-202 DIV3

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## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to 703-872-9306 at the Patent and Trademark Office on April 29, 2004:

- Request For Acknowledgment of Receipt and Consideration of Information Disclosure Statement \_\_\_\_\_ 1 page
- Courtesy copy of the Information Disclosure Statement filed April 7, 2004, including copies of the Form PTO-1449, postcard receipt and Express Mail receipt \_\_\_\_\_ 7 pages
- This Cover Sheet \_\_\_\_\_ 1 page

Melissa T Kuczynski Total Pages 9  
Melissa T. Kuczynski

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**Practitioner's Docket No.: 782\_202 DIV2****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Yuji Hori, Tomohiko SHIBATA, Osamu ODA and Mitsuhiro TANAKA

Ser. No.: 10/690,290

Filed: October 21, 2003

For: A SEMICONDUCTOR ELEMENT

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Group Art Unit: 2818

Examiner: Tran, Mai Huong

Date of mailing of PTOL 85 entitled "Notice of Allowance  
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Melissa T. Kuczynski

**REQUEST FOR ACKNOWLEDGMENT OF RECEIPT AND CONSIDERATION OF  
INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants respectfully request the U.S. Patent and Trademark Office to return an initialed copy of the PTO-1449 filed with Information Disclosure Statement on April 7, 2004, as acknowledgment of receipt and consideration thereof. A courtesy copy of the PTO-1449 and Information Disclosure Statement as well as our postcard receipt, are enclosed.

Should additional copies of the references cited in the Information Disclosure Statement be required, the appropriate Patent and Trademark Office official is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Stephen P. Burr  
Reg. No. 32,970

April 29, 2004

Date

SPB/mtk

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2. A Certification Under 37 CFR §1.97(e)
3. An Information Disclosure Statement
4. Form PTO-1449
5. A European Search Report dated March 2, 2004
6. References AA-AF (References AA-AC are not enclosed)
7. Our check in the amount of \$180.00

Applicant(s): Yuji Hori, Tomohiko SHIBATA, Osamu ODA and Mitsuhiro TANAKA

Ser. No.: 10/690,290

Art Unit: 2814

Date Filed: October 21, 2003

Examiner: Ngan V. Ngo

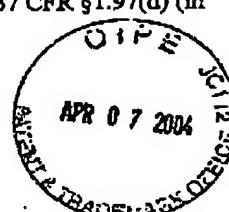
Our Docket No. 782\_202 DIV2

SPB/eav

Conf. No.: 4572

Title: A SEMICONDUCTOR ELEMENT

Date of Mailing: April 7, 2004



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Practitioner's Docket No.: 782\_202 DIV2

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Yuji HORI, Tomohiko SHIBATA, Osamu ODA and Mitsuhiro TANAKA

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Ser. No.: 10/690,290

Art Unit: 2814

Filed: October 21, 2003

Examiner: Ngan V. Ngo

Conf. No.: 4572

For: A SEMICONDUCTOR ELEMENT

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I hereby certify that this paper or fee is being deposited on April 7, 2004 with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


  
Elizabeth A. VanAntwerp

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(d)****TIME OF TRANSMITTAL OF ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after*:

- (1) a final action under §1.113,
- (2) a notice of allowance under §1.311, or
- (3) an Office Action that closes prosecution ,

but before, or simultaneously with, the payment of the issue fee.

**STATEMENT AND FEE**

2. In accordance with the requirements of 37 CFR §1.97(d):

- A. Accompanying this transmittal is a statement, as specified in 37 CFR §1.97(e).
- B. Applicant(s) submit(s) the submission fee set forth in §1.17(p) (\$180.00).

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**METHOD OF PAYMENT OF FEE**

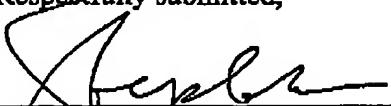
3.  Attached is a check in the amount of \$180.00.  
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Respectfully submitted,

April 7, 2004

Date

  
Stephen P. Burr  
Reg. No. 32,970

SPB/eav

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Practitioner's Docket No.: 782\_202 DIV2

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re patent application of: Yuji Hori, Tomohiko SHIBATA, Osamu ODA and Mitsuhiro TANAKA **RECEIVED  
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Serial No.: 10/690,290

Art Unit: 2814

APR 29 2004

Filed: October 21, 2003

Examiner: Ngan V. Ngo

Confirmation No.: 4572

For: A SEMICONDUCTOR ELEMENT

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Elizabeth C. VanAntwerp

**CERTIFICATION UNDER 37 CFR §1.97(e)**

Sir:

Each item of information contained in the Information Disclosure Statement filed herewith was *first* cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

No item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

  
Stephen P. Burr  
Reg. No. 32,970**COPY**

SPB/eav

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Telephone: (315) 233-8300  
Facsimile: (315) 233-8320

Practitioner's Docket N :: 782\_202 DIV2

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re the application of: Yuji HORI, Tomohiko SHIBATA, Osamu ODA and  
Mitsuhiko TANAKA**RECEIVED  
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Ser. No.: 10/690,290

Art Unit: 2814

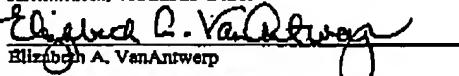
APR 29 2004

Filed: October 21, 2003

Examiner: Ngan V. Ngo

Confirmation No.: 4572

For: A SEMICONDUCTOR ELEMENT

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Alexandria, VA 22313-1450**"EXPRESS MAIL" mailing label number EL 994436114 US.**I hereby certify that this paper or fee is being deposited on April 7, 2004 with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
  
Elizabeth A. VanAntwerp**OFFICIAL****INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. Copies of each of the references listed on Form PTO-1449 are attached. In accordance with the Notice dated July 11, 2003 on the PTO website, we are not enclosing copies of any of the U.S. references listed on Form PTO-1449.

Also enclosed is a copy of a European Search Report bearing a mailing date of March 2, 2004 from a corresponding European patent application, and the U.S. PTO is directed thereto for a concise statement of possible relevance of the references cited therein.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. It is respectfully requested that the information be expressly considered during the prosecution of

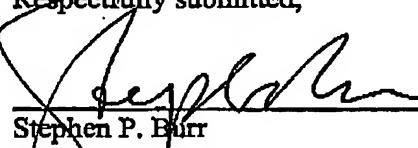
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this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

  
\_\_\_\_\_  
Stephen P. Burr  
Reg. No. 32,970

SPB/eav

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Form PTO-1449				<i>Complete if Known</i>			
US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				Application Number	10/690,290		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	October 21, 2003		
(use as many sheets as necessary)				First Named Inventor	Yuji HORI		
Sheet	1	of	1	Art Unit	2814		
				Examiner Name	Ngan V. Ngo		
				Confirmation No.	4572		
				Attorney Docket No.	782 202 DIV2		

## U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Date	Name	Our Docket No.	Class	Sub Class	Filing Date
	AA*	5,990,495	11-23-1999	Ohba, Yasuo				
	AB*	6,064,082	05-16-2000	Kawai et al.				
	AC*	5,810,925	09-22-1998	Tadatomo et al.				

## U.S. COPENDING APPLICATIONS

Exam. Initial		Application/ Publication Number	Filing/ Publication Date	Inventor Name	Our Docket No.	Class	Sub Class

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
	AD	WO 98/35388	08-13-1998	US				

OTHER DOCUMENTS  
(Including Author, Title, Date, Pertinent Pages etc.)

	AE	M.A. Khan et al., "High Electron Mobility Transistor Based on a GaN-Al <sub>x</sub> Ga <sub>1-x</sub> N Heterojunction," Applied Physics Letters, 30 August 1993, USA, Vol. 63, No. 9, pages 1214-1215, XP002269124
	AF	P. Kung et al., "High Quality AlN and GaN Epilayers Grown on (pp.l) Sapphire, (100) and (111) Silicon Substrates," Applied Physics Letters, American Institute of Physics, NY, US, Vol. 66, No. 22, 29 May 1995, pages 2958-2960, XP000507525

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*In accordance with the Notice dated July 11, 2003 on the PTO website, we are not enclosing copies of any of the U.S. references listed above.

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